

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: SEPTEMBER 13, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-23569 - APPLICANT/OWNER: COLEMAN-TOLL, LP**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:

1. All development shall be in conformance with code requirements and design standards of all City Departments.
2. The limits of this Petition of Vacation shall be the public sewer and drainage easements generally located within the Franklin Park at Providence subdivision, recorded with Book 133 Page 59.
3. Grant public sewer easements for the sewer lines being relocated with the redesign of the Franklin Park at Providence subdivision prior to or concurrent with recordation of the Order of Vacation.
4. A Drainage Plan and Technical Drainage Study Update must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study Update. The drainage study update required by TMP-23567 may be used to satisfy this requirement provided that it addresses the area to be vacated.
5. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas of an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

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7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is petitioning to Vacate the public sewer and drainage easements generally located in portions of an existing residential subdivision adjacent to the northwest corner of Elkhorn Road and Shaumber Road. These easements were previously established

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission and staff recommended approval on 09/26/02. The effective date of this annexation was 02/14/03.
03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on 02/13/03.
07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of ZON-1520. The Planning Commission and staff recommended approval on 06/12/03.
02/18/04	The Cliff's Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission and staff recommended approval on 01/08/04.
06/16/04	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliff's Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliff's Edge parent Tentative Map, as approved by the Planning Commission on March 11, 2004.

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3/02/05	The City Council approved a Request for a Tentative Map for a 234-lot Single-Family Residential Subdivision and Waivers of Title 18.12.105 for a 350-foot private drive where a maximum of 200 feet is allowed and a Waiver of Title 18.12.160 for internal intersection offsets of approximately 84 feet and 104 feet where a minimum of 125 feet is required on 40.3 acres adjacent to the northwest corner of Elkhorn Road and Shaumber Road
8/03/05	City Council approved a request for a Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan to change land use designations from: ML (Medium Low density residential) to: L (Low Density Residential) and RSL (residential small lot); from: L (low density residential) to: ML (Medium Low density residential); and from: RSL (residential small lot) to: ML (Medium low density residential); and to modify the following sections of the master development plan: sections 2.2, 2.3.5, 2.3.6 and 2.3.7; to modify or add to the design guidelines as follows: section 3.1.1, 3.2.3b, 5.10, 5.10.1, 6.2.1, 6.2.2, 6.2.3, 7 and exhibits 2, 7a,7b, 8a, 14a, 14b, 14c, 15 and 17 on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road
11/16/05	The City Council approved a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan And Design Guidelines to establish standards for rear loaded residential small lot housing products and to add section 3.2.5b to the design guidelines on 1,156 acres including the subject site. The Planning Commission and staff recommended approval.
4/25/06	A Final Map for a 10-lot single-family residential subdivision on 4.28 acres adjacent to the west side Shaumber Road, north of Elkhorn Road was recorded as "Franklin Park at Providence Phase I". NOTE: This area <i>NOT included</i> with the proposed amended map request.
8/29/06	A Final Map for a 109-lot single-family residential subdivision on 16.60 acres adjacent to the west side Shaumber Road, north of Elkhorn Road was recorded as "Franklin Park at Providence Phase II". NOTE: This area <i>IS included</i> with the proposed amended map request.
<i>Related Building Permits/Business Licenses</i>	
NA	Various permits have been pulled for the eight model homes and the related model home sales structures that make a portion of the excluded area.
<i>Pre-Application Meeting</i>	
7/20/07	A pre-application meeting was held to discuss the requirements to amend an approved Tentative Map in the Cliff's Edge Master Planned Community, and the specifics of the related Waiver and Vacation requirements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

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<i>Field Check</i>	
8/9/07	<p>A field check was performed by the Planning and Development staff with the following observations:</p> <ul style="list-style-type: none"> • Existing perimeter walls in compliance with the Cliff's Edge standards • Eight model homes in the subdivision with a model homes sales structure. • Noticeable grade change sloping downwards from west to east and from north to south.

ANALYSIS

• *Planning discussion*

This Vacation is required in order to process the affiliated amendments from a previously approved Tentative Map (TMP-5798) and recorded Final Map. The applicant seeks to eliminate public drainage easements created from a previous design that had incorporated alleyways. Upon approval, the vacated easements will remove the portions of that are inconsistent with the approved Civil Improvement Plans. Planning has no objection to this request for a Vacation.

• *Public Works discussion*

This Vacation application proposes to vacate existing public sewer and drainage easements. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this VAC request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved; any utility company interests will not be affected.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

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NOTICES MAILED 2

APPROVALS 0

PROTESTS 0